B 1138

L.N. 113 of 2026

EMPLOYMENT AND INDUSTRIAL RELATIONS ACT (CAP. 452)

Private Schools (Conditions of Work) Regulation Order, 2026

IN EXERCISE of the powers conferred by article 4(1) of the Employment and Industrial Relations Act, the Minister responsible for employment and industrial relations has made the following order:-

Citation, commencement and applicability.

1. (1) The title of this order is the Private Schools (Conditions of Work) Regulation Order, 2026.

(2) This order shall come into force within two (2) months from its date of publication in the Gazette.

(3) The provisions of this Order shall apply to all employees engaged under a contract of service in all schools, other than those schools established by and managed by the Government or the University of Malta, excluding however such employees in respect of whom an individual salary or allowance is paid by the Government to the representative of the religious association of which those employees form part:

Provided that in the event that there is a collective agreement applicable to the class of employees covered by this order, the more favourable conditions in that agreement or in this order shall apply.

PART I
General

Interpretation.

2. In this order, unless the context otherwise requires:

Cap. 452.

"Act" means the Employment and Industrial Relations Act;

Cap. 252.

"customary holidays" means the days, other than Sundays, declared for the time being to be public holidays under the National Holidays and other Public Holidays Act;

"collective agreement" shall have the same meaning as assigned to it in the Act;

"double-time" means twice the actual time rate applicable to employees;

"hours of work" means the time on any day during which employees are at the disposal of the employer, exclusive of intervals allowed for meals and rest;

"nursery school" means a school or a department of a school, in which the predominant characteristic is that of child care;

"time-and-a-half" means one and a half times the actual time rate applicable to employees.

PART II
Teachers

Applicability.

3. This Part shall not apply to employees in nursery schools.

Interpretation.

4. In this Part, unless the context otherwise requires:

"part-time teacher" means a teacher whose normal hours of work, calculated on a weekly basis or on average over a period of employment of up to one (1) year, shall be less than the normal hours of work of a comparable whole-time teacher and who is not a whole-time teacher with reduced hours;

"teacher" includes Assistant Headmaster or Assistant Headmistress and Assistant Head teacher;

"whole-time teacher" means a teacher who is deemed to be a whole-time teacher in terms of any recognized conditions of employment.

Hours of work.

5. The minimum monthly remuneration for whole-time teachers shall be related to a week of not more than twenty-seven (27) hours of work.

Minimum remuneration of whole-time teachers.

6. The minimum monthly remuneration payable to whole-time teachers shall be one thousand and fifty-eight euro and thirty-one cents (€1058.31).

Holidays.

7. (1) Whole time teachers shall be entitled to all customary holidays with full pay, but when any one of these holidays falls on a day on which the school is normally closed they shall not be entitled to a day off *in lieu*.

(2) Whole-time teachers shall be entitled to holidays with full pay, including the Christmas, Carnival, Easter and summer holidays, covering the period from the closing to the re-opening of schools.

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Sick leave.

8. (1) Whole-time teachers shall in any scholastic year be entitled to the equivalent in hours of fifteen (15) school days sick leave on full pay, less an amount equal to the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, and part-time employees shall have a *pro rata* entitlement to sick leave in hours on full pay, less an amount equal to the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, which amount shall also be calculated on a *pro rata* basis:

Cap. 318.

Provided that:

(a) the first three (3) days of any claim for sick leave shall be paid in full by the employer;

(b) a medical certificate covering the period of absence is produced to the employer on the day of return to work or, if such period of absence exceeds seven (7) days, within seven (7) days of the commencement of such absence due to sick leave;

(c) employees receiving a social security pension in respect of retirement or widowhood in accordance with the Social Security Act shall, for the purpose of calculating the sick leave pay due, be deemed to have received an amount equal to the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act.

Cap. 318.

(2) Whole-time teachers shall in any scholastic year be entitled to the equivalent in hours of a further fifteen (15) school days sick leave on half pay, less an amount equal to half the sum set for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, and part-time employees shall have a *pro rata* entitlement to sick leave in hours on half pay, less an amount equal to half the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, which amount shall also be calculated on a *pro rata* basis:

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(c) employees receiving a social security pension in respect of retirement or widowhood in accordance with the Social Security Act shall, for the purpose of calculating the sick leave payment due, be deemed to have received an amount equal to half the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act. Cap. 318.

(3) Sick leave entitlements provided shall apply from the first (1) day of employment:

Provided that said entitlements shall be calculated *pro rata* according to the date of employment in the relative calendar year.

(4) The employer may require a medical certificate by a physician of his choice to certify that the employee was unfit for work during the period of absence.

(5) The sick leave entitlement shall be calculated on the basis provided for annual leave as specified in regulation 8(1) of the Organisation of Working Time Regulations. S.L. 452.87

9. Non-teaching duties allotted to teachers outside their normal teaching hours shall be remunerated at one euro and sixty-three cents (€1.63). Minimum remuneration for non-teaching duties.

10. Whole-time teachers shall be entitled to the same leave as provided in Part IV in respect of other whole-time employees. Other leave.

PART III
Other Employees

11. In this Part, unless the context otherwise requires: Interpretation.

"employee" means an employee who does not fall under Part II;

"part-time employee" shall have the same meaning as assigned to it in the Act;

"whole-time employee" shall have the same meaning as assigned to it in the Act.

12. The minimum weekly remuneration payable to whole-time employees shall be related to a week of sixty (60) hours of work in the case of watchpersons or forty-four (44) hours of work in the case of other employees. Hours of work.

Minimum remuneration to whole-time employees.

13. (1) The minimum weekly remuneration payable to whole-time employees, other than maids employed in schools which provide full residential facilities to students, or watchpersons shall be two hundred and fifty-seven euro and sixty-two cents (€257.62).

(2) The minimum weekly remuneration payable to whole-time maids employed in schools which provide full residential facilities to students shall be as follows:

during the first year of employment	€252.38;
following the first year of employment	€254.71.

(3) The minimum weekly remuneration payable to whole-time watchpersons shall be:

(a) for work performed indoors.....	€344.16;
(b) for work performed outdoors	€346.49.

(4) Whole-time employees, other than watchpersons, who are employed for the full period of a scholastic year, and whose employment is terminated by the employer at the commencement of, or during the summer holidays, otherwise than for having reached the age of retirement, shall be entitled to receive a compensation equivalent to the basic minimum remuneration to which such employees would have been entitled had their employment not been terminated, calculated for the period during such holidays commencing from the date of termination of employment up to the reopening of schools and payable in the same manner as the weekly remuneration used to be paid.

Uniform allowance.

14. (1) When the employee is required to wear a uniform in the performance of the employee's duties, such uniform shall be provided by the employer free of charge.

S.L. 646.13.

(2) Personal protective equipment in accordance with the Minimum Requirements for the use of Personal Protective Equipment at Work Regulations shall also be provided by the employer free of charge.

Minimum weekly rest. S.L. 452.87.

15. All employees shall be entitled to a weekly rest period in accordance with the Organisation of Working Time Regulations.

Minimum daily rest.

16. Whole-time employees, other than watchpersons, shall be allowed daily intervals for meals and rest of not less, in the aggregate,

than one (1) hour.

17. Whole-time employees shall be entitled in every calendar year to: Holidays.

(a) all customary holidays with full pay, and

(b) after three months in employment, vacation leave of such number of working days with full pay as is equivalent to the number of working days as that particular employee should normally attend to work during a period of four (4) weeks:

Provided that whole-time employees who have been in employment for less than one year shall be entitled to such part of the said vacation leave as is in proportion to the number of months in employment:

Provided further that vacation leave shall be availed of only during the summer school holidays.

18. (1) Whole-time employees shall in every calendar year be entitled to the equivalent in hours of ten (10) days sick leave on full pay, less an amount equal to the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, and part-time employees shall have a *pro rata* entitlement to sick leave in hours on full pay, less an amount equal to the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, which amount shall also be calculated on a *pro rata* basis: Sick leave. Cap. 318.

Provided that:

(a) the first three (3) days of any claim for sick leave shall be paid in full by the employer;

(b) a medical certificate covering the period of absence is produced to the employer on the day of return to work or, if such period of absence exceeds seven (7) days, within seven (7) days from the commencement of such absence due to sick leave;

(c) employees receiving a social security pension in respect of retirement or widowhood in terms of the Social Security Act shall, for the purpose of calculating the sick leave payment due, be deemed to have received an amount equal to the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act. Cap. 318

(2) Whole-time employees shall in every calendar year be entitled to the equivalent in hours of a further ten (10) days sick leave on half pay, less an amount equal to half the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, and part-time employees shall have a *pro rata* entitlement to sick leave in hours on half pay, less an amount equal to half the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, which amount shall also be calculated on a *pro rata* basis:

Cap. 318.

Provided that:

(a) the first three (3) days of any claim for sick leave shall be paid at half pay by the employer;

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(c) employees receiving a social security pension in respect of retirement or widowhood in accordance with the Social Security Act shall, for the purpose of calculating the sick leave payment due, be deemed to have received an amount equal to half the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act.

Cap. 318.

(3) Sick leave entitlements shall apply from the first (1) day of employment:

Provided that said entitlements shall be calculated *pro rata* in accordance with the date of employment in the relative calendar.

(4) Whole-time employees shall in every calendar year be entitled to the equivalent in hours of a further ten (10) days sick leave without pay, and part-time employees shall have a *pro rata* entitlement to such sick leave without pay.

(5) The employer may require a medical certificate by a physician of his choice to certify that the employee was unfit for work during the period of absence.

(6) The sick leave entitlement granted shall be calculated on the basis provided for annual leave as specified in regulation 8(1) of the Organisation of Working Time Regulations.

S.L. 452.87

Minimum overtime rates.

19. Except in the case where schools provide full residential facilities to students, where whole-time employees work on a roster

approved by both the employers and the employees, whole-time employees shall be entitled to overtime rates as follows:

(a) in the case of whole-time watchpersons:

(i) for all time worked on a day of rest or on a customary holiday	double time;
(ii) for all time worked in excess of sixty (60) hours in any one (1) week	time and a half;

(b) in the case of other whole-time employees:

(i) for all time worked on a customary holiday or other public holiday	double time;
(ii) for all time worked in excess of forty-four (44) hours in any one (1) week commencing on Monday up to Saturday	time and a half.

20. Whole-time employees shall be entitled to the same leave as is provided in Part IV in respect of other whole-time employees. Other leave.

PART IV
Other leave entitlement

21. Employees shall be entitled to the national holidays and to all public holidays with full pay, to all forms of leave in accordance with the Minimum Special Leave Entitlement Regulations and all other forms of leave that may, from time to time, be stipulated in the National Standard Orders or any regulations made under the Act. Other leave entitlement.
S.L. 452.101.

22. The Private Schools Wages Council Order and the Private Schools Wages Council Wage Regulation Order are hereby repealed without prejudice to anything done or omitted to be done thereunder. Repeal and saving.
S.L. 452.12.
S.L. 452.47.

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Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta FSC — ***Printed at the Government Printing Press on FSC certified paper***

Prezz/*Price*
€0.81